

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Miloushev et al.

Application Number: 10/043,413

Filing Date: January 10, 2002

Title: **File Switch and Switched File System**

Group No.: 2142

Examiner: Prieto, Beatriz

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE STATEMENT**

Examiner: \_\_\_\_\_

Date Considered: \_\_\_\_\_

---

NOTE FOR EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance AND not considered. Include copy of this form with next communication to applicant.

**Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)**

The following patent applications may include technically-related subject matter and/or claims that are similar to this application:

Atty Docket	Appl. No.	File Date	Title/Description	Inventors
3193/102	10/043,413	1/10/2002	File Switch and Switched File System	Vladimir Miloushev, Peter Nickolov
3193/103	10/336,704	1/2/2003	Transaction Aggregation in a Switched File System	Vladimir Miloushev, Peter Nickolov
3193/104	10/336,833	1/2/2003	Directory Aggregation for Files Distributed Over a Plurality of Servers in a Switched File System	Vladimir Miloushev, Peter Nickolov
3193/105	10/336,835	1/2/2003	Metadata Based File Switch and Switched File System	Vladimir Miloushev, Peter Nickolov
3193/106	10/336,832	1/2/2003	Rule Based Aggregation of Files and Transactions in a Switched File System	Vladimir Miloushev, Peter Nickolov
3193/107	10/336,834	1/2/2003	Aggregated Lock Management for Locking Aggregate Files in a Switched File System	Vladimir Miloushev, Peter Nickolov
3193/108	10/336,784	1/2/2003	Aggregated Opportunistic Lock and Aggregated Implicit Lock Management for Locking Aggregated Files in a Switched File System	Vladimir Miloushev, Peter Nickolov
3193/111	11/337,190	1/20/2006	Scalable System for Partitioning and Accessing Metadata Over Multiple Servers	Francesco Lacapra
3193/112	11/041,147	1/21/2005	File-based Hybrid File Storage Scheme Supporting Multiple File Switches	Francesco Lacapra
3193/113	11/072,892	3/3/2005	System and Method for Managing Small-Size Files in an Aggregated File System	Francesco Lacapra, Srinivas Duvvuri
3193/109	11/285,677	11/21/2005	Directory Aggregation for Files Distributed Over a Plurality of Servers in a Switched File System	Vladimir Miloushev, Peter Nickolov
3193/115	11/724,107	3/14/2007	Transaction aggregation in a switched file system	Vladimir Miloushev, Peter Nickolov

The Examiner is requested to review the entire file histories of these applications, including cited references, Office Actions, Responses, etc., and is asked to contact Applicant's Attorney if the Examiner would like the Applicant to supply copies of any or all of the information included in any of these applications. For any of these applications, if Applicant's Attorney is not contacted by the Examiner with such a request, then it will be assumed that the Examiner has reviewed or will review the file content of the application. The identification of the above-identified applications is not a waiver of secrecy for any of the applications.

## **Section 6. Copies of Listed Information Items Accompanying This Statement**

*NOTE: 37 C.F.R. section 1.98(a)(2) requires that any information disclosure statement filed under section 1.97 shall include: "A legible copy of: (1) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."*

*NOTE: The wording in section 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.*

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

*(complete the following, if applicable)*

[x]Exception(s) to above:

**U.S. patent citations are not included pursuant to the United State Patent and Trademarks Office's September 21, 2004 waiver of the copy requirement in 37 CFR 1.98 for cited pending U.S. patent citations when the patent citations are available in the USPTO's IFW system.**

[ ]Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

[ ]Cumulative patents or publications identified in Section 5.

## **Section 9. Concise Explanation of English Language Listed Information Items**

*NOTE: "Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-47, 38).*

Applicants appreciate that the disclosure of a large number of references may be burdensome on the Examiner. Most of the references disclosed in Section 2 above have been cited by the USPTO in one or more of the related applications listed in Section 3 above, and therefore the Examiner may find such references to be relevant to examination of the subject patent application. Specifically, the Inglett and Keller patents and the Jameson and Mane published patent applications were cited by the USPTO in U.S. Patent Application No. 11/337,190 (Attorney Docket No. 3193/111) office action dated December 18, 2007; the Dawson patent was cited by the USPTO in U.S. Patent Application No. 10/336,832 (Attorney Docket No. 3193/106) office action dated February 21, 2008; the Soltis and Ericson patents were cited by the USPTO in U.S. Patent Application No. 10/336,834 (Attorney Docket No. 3193/107) office action dated February 8, 2008; and the Patel, Robinson, and Ma patents were cited by the USPTO in U.S. Patent Application No. 11/041,147 (Attorney Docket No. 3193/112) office action dated March 11, 2008. References that were not cited in one or more of those related applications are highlighted with an asterisk (\*) next to the reference in the column labeled "Highlight." Applicants are not submitting these references in an attempt to prolong prosecution or hide information that may be material to patentability. Applicants' attorney has reviewed the references and believes that none is more relevant to the subject patent application than the references already of record. Nevertheless, Applicants request that the Examiner perform an independent review of the references.

Submission of any particular reference is not an admission that the reference is material to patentability or qualifies as prior art to one or more of the claims.

## **Section 10. Identification of Person(s) Making This Information Disclosure Statement**

The person making this certification is

*(check each applicable item)*

- (a)  the inventor(s) who signs below

---

**SIGNATURE OF INVENTOR**

---

*(type name of inventor who is signing)*

- (b)  an individual associated with the filing and prosecution of this application (37 C.F.R. section 1.56(c))

---

**SIGNATURE OF INVENTOR**

---

*(type name of inventor who is signing)*

- (c)  the practitioner who signs below on the basis of the information:

*(check each applicable item)*

supplied by the inventor(s).

supplied by an individual associated with the filing and prosecution of this application.  
(37 C.F.R. section 1.56(c)).

in the practitioner's file.

/Jeffrey T. Klayman, #39,250/

---

**SIGNATURE OF PRACTITIONER**

---

Reg. No.: 39,250

Jeffrey T. Klayman

*(type or print name of practitioner)*

Tel. No.: (617) 443-9292

Bromberg & Sunstein LLP

125 Summer Street, 11<sup>th</sup> Floor

P.O. Address

Customer No.: 02101

Boston, MA 02110

03193/00102 854394.1